

## **REMARKS**

The present Amendment is submitted in response to the Office Action mailed December 19, 2007.

By this amendment, independent claim 1 has been amended to incorporate the limitations of dependent claim 9 and independent claim 13 has been amended to incorporate the limitations of dependent claim 18. Thus, no new matter or issues are believed to be presented by these amendments. Claims 20-26 have been canceled in the interests of furthering prosecution of this application. Applicant hereby reserves the right to file a continuation application to pursue the subject matter of these claims.

Claims 1 and 2 stand rejected under 35 U.S.C. 102(b) over Twardowski et al. (5,569,182). It is respectfully submitted that the present invention embodied in claim 1 is patentably distinguishable from Twardowski '182. For example, Twardowski '182 fails to teach or suggest the recited "the at least one ridge further defining a plurality of lateral channels formed therein" as required by independent claim 1. This feature is, e.g., represented in the embodiment of Figure 8 of Applicant's specification, more notably, the lateral channels 156 which "provide additional open area that prevents occlusion of inlet port 114" (pg. 10, lns 18-20 of Applicant's specification). Twardowski '182 is devoid of this feature and the structural capabilities thereto provided. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 1-3, 13-14 and 21-26 stand rejected under 35 U.S.C. 102(b) over Seder (5,116,310). It is respectfully submitted that the present invention embodied in independent claims 1 and 13 is patentably distinguishable from Seder '310. For example, Seder '310 fails to teach or suggest the recited "the at least one ridge further defining a

plurality of lateral channels formed therein” as required by independent claim 1 or the recited “each of the plurality of ridges having a plurality of lateral channels therein” as required by independent claim 13 - the significance of which is discussed hereinabove. Seder ‘310 is devoid of these features. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 13-17 and 19-20 stand rejected 35 U.S.C. 102(b) in view of Mahurkar (5,221,256). It is respectfully submitted that the present invention embodied in independent claim 13 is patentably distinguishable from Mahurkar ‘256. For example, Mahurkar ‘256 fails to teach or suggest the recited “each of the plurality of ridges having a plurality of lateral channels therein” as required by independent claim 13. Mahurkar ‘256 is likewise devoid of these features. Accordingly, withdrawal of this rejection is respectfully requested.

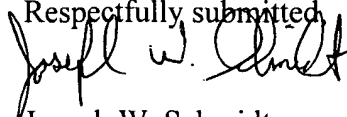
Claims 1 and 13 stand rejected under 35 U.S.C. 102(b) in view of Lotito (7,090,654) It is respectfully submitted that the present invention embodied in independent claims 1 and 13 is patentably distinguishable from Lotito ‘654. For example, Lotito ‘654 fails to teach or suggest the recited “the at least one ridge further defining a plurality of lateral channels formed therein” as required by independent claim 1 or the recited “each of the plurality of ridges having a plurality of lateral channels therein” as required by independent claim 13 - the significance of which is discussed hereinabove. Lotito ‘654 is devoid of these features. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 3-8 and 10-12 stand rejected under 35 U.S.C. 103(a) over Twardowski '182 in view of Mahurkar '256. It is respectfully submitted that these claims are patentable for at the least the reasons independent claim 1 is patentable as discussed hereinabove. Accordingly, the withdrawal of this rejection is respectfully requested.

Claims 9 and 18 stand rejected under 35 U.S.C. 103(a) over Twardowski '182 in view of Mahurkar '256 in further view of Spehalski (6,099,513). Claim 9 is dependent upon claim 1, which, as indicated above, is believed to be allowable. Claim 18 is dependent on claim 13 which, as indicated above, is believed to be allowable. With regard to Spehalski '513, the ducts 24 of Spehalski as identified in the Office Action are not lateral channels within the meaning recited in each of independent claims 1 and 13 and as described in Applicant's specification. Rather, these ducts 24 are intended to permit fluid flow from the wound site. Furthermore, Applicant fails to understand how these ducts can be considered to be formed in any ridges, particularly, ridges which are "dimensioned and positioned to engage interior wall portions of the blood vessel in supporting relation therewith to substantially minimize collapse of the vessel wall and substantially prevent occlusion of at least one lumen". Accordingly, in view of the foregoing, withdrawal of this rejection is respectfully requested.

It is respectfully submitted that none of the references of record disclose or suggest the present invention as recited in the claims considered individually or in combination, considered in whole or in part. Accordingly, withdrawal of the rejections is respectfully requested.

In view of the foregoing amendments and remarks, reconsideration of the rejections and objections and allowance of the claims are earnestly solicited.

Respectfully submitted,  
  
Joseph W. Schmidt  
Reg. No. 36,920  
Attorney for Applicant(s)

**CARTER, DELUCA, FARRELL & SCHMIDT, LLP**  
445 Broad Hollow Road, Suite 225  
Melville, Previously Presented York 11747  
Telephone: (631) 501 5700  
Facsimile: (631) 501 3526  
JWS/td